

## Assembly Bill No. 1004

### CHAPTER 364

An act to amend Section 53227 of the Government Code, relating to public employees.

[Approved by Governor August 17, 1996. Filed with  
Secretary of State August 19, 1996.]

#### LEGISLATIVE COUNSEL'S DIGEST

AB 1004, Kuykendall. Local agency employees: eligibility for office: volunteer firefighters.

Existing law prohibits an employee of a local agency from being sworn into office as an elected or appointed member of the legislative body of that local agency unless he or she resigns as an employee. Any volunteer firefighter who does not receive a salary is excepted from this prohibition.

This bill would include a volunteer firefighter within that exception where the salary the volunteer firefighter would otherwise receive is applied directly by the local agency toward the purchase of disability, life, health, or similar insurance coverage.

*The people of the State of California do enact as follows:*

SECTION 1. Section 53227 of the Government Code is amended to read:

53227. (a) An employee of a local agency may not be sworn into office as an elected or appointed member of the legislative body of that local agency unless he or she resigns as an employee. If the employee does not resign, the employment shall automatically terminate upon his or her being sworn into office.

(b) For any individual who is an employee of a local agency and an elected or appointed member of that local agency's legislative body prior to January 1, 1996, this section shall apply when he or she is reelected or reappointed, on or after January 1, 1996, as a member of the local agency's legislative body.

(c) This section does not apply to any volunteer firefighter who does not receive a salary, or where the salary the volunteer firefighter would otherwise receive is applied directly by the local agency toward the purchase of disability, life, health, or similar insurance coverage.

O